

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director Development Review

DATE: September 10, 2013

SUBJECT: BZA Case 18606 - Request by the Family Place Inc., (the Applicant) pursuant to DCMR 11 § 3104 for special exception relief under § 334, to allow the continued use of the premises located at 3309 16th Street, NW (Square 2676, Lot 469) as a community service center.

I. SUMMARY RECOMMENDATION

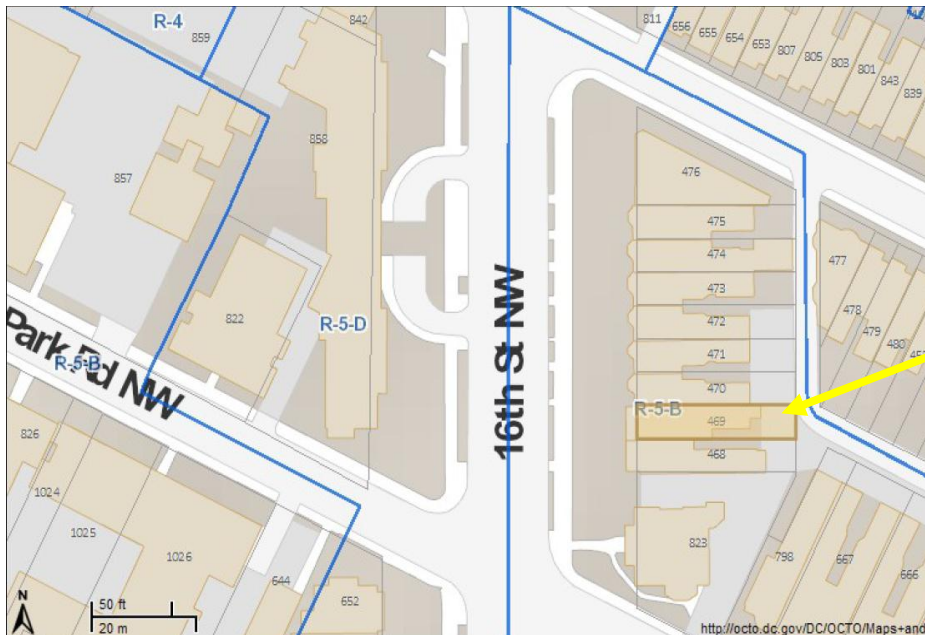
The Office of Planning recommends approval of the continued operation of The Family Place, a community service center, at 3309 16th Street, N.W. having satisfied the special exception criteria under § 334 of the Zoning Regulations, subject to the following conditions, all of which are carried forward from the previous BZA Order, except as noted:

1. *Approval shall be for a period of eight (8) years. (Increased from 5 years)*
2. *The hours of operation shall be from 9:00 AM to 7:30 PM, Monday through Friday, with occasional meetings on weekends or week nights.*
3. *The number of full time employees shall not exceed 13.*
4. *There shall not be more than 45 persons participating at the center at one time.*
5. *Two (2) parking spaces shall be provided on-site.*
6. *All loading and trash pick-up shall occur at the rear of the building from the public alley. (New).*
7. *Trash shall be picked up from the center two (2) times a week. Bulk trash shall not be placed outside more than 24 hours prior to its scheduled removal.*
8. *Dusk-dawn lighting shall be maintained at the front and rear of the building.*
9. *Bilingual signage shall be maintained at the front door indicating the times that donations are accepted and that loitering is not permitted.*
10. *The Family Place shall hold meetings to discuss the center's operations on a quarterly basis with the neighbors in the 3300 block of 16th Street, the Advisory Neighborhood Commission and the Single Member District Commissioner. The meetings shall be advertised through hand-delivered flyers and electronic media.*
11. *The applicant shall offer a commute incentive to employees for transit use. (New)*

The conditioned period of approval from five (5) to eight (8) years is made in recognition of the center's long-term operation in the neighborhood and the applicant's commitment to address neighborhood's concerns as they arise. OP has discussed these conditions with the applicant.

II. SITE AND AREA DESCRIPTION

Address	3309 16th Street, N.W.
Legal Description	Square 3035, Lots 838 and 837
Ward/ANC	1/ANC1A
Lot Characteristics	The lot is a flat rectangular lot with no unusual grade changes
Existing Development	The subject premises fronts on the east side of 16 th Street, near the intersection with Park Road, and is developed with a three story brick, attached building. The site backs onto an internal alley system, which exists onto Munroe Street.
Zoning	R-5-B: The R-5 districts permit all types of urban residential, if they conform to the height, density and area requirements. A community service center is permitted by special exception approval.
Adjacent Properties	The 3300 block of 16 th Street, N.W., contains a mix of private dwellings and is anchored by an apartment building at the corner of 16 th and Monroe Streets and a community residential facility to the south, at the corner of 16 th Street & Park Road.
Surrounding Neighborhood Character	The surrounding neighborhood is predominantly developed with a mix of mid-rise apartment buildings, and single-family row dwellings to the northeast and southwest of 16th Street. A number of institutions (both public and private) are located throughout the community.



III. APPLICATION and BACKGROUND

Applicant	The Family Place, Inc.
Proposal	The Applicant requests special exception relief pursuant to 11 DCMR 3104.1, under to continue the operation of a community service center. The applicant does not propose to make any changes in the services currently offered, or to make alteration to the subject structure.
Relief sought	Special exception pursuant to §§ 352 and 334

Approval by the Board to operate a community service center on this site has been granted four times between 1985 and 2001. (BZA Cases 17728, 16910, 15330, 14327) The most recent Board order (Order No. 17728) expired on April 1, 2013. Therefore, the applicant needs new Board approval and to update the certificate of occupancy.

IV. OP ANALYSIS

The proposed use is permitted by special exception within the R-5-B zone, subject to the provisions of §334. The applicant is requesting relief to continue operation of the existing facility, which provides a number of social services to the community, including family counseling, guidance and services to expectant and new mothers who reside in the surrounding communities.

i. Special Exception Relief pursuant to § 334

334.2 A community service center shall be located so that it is not likely to become objectionable to neighboring properties because of noise or other objectionable conditions.

Most of the services provided are inside the structure and do not generate high levels of noise or other objectionable situations. The center does provide service for children, but parents are encouraged to attend and help with keeping noise at a minimum level by controlling children's activities.

At the previous hearing under case # 17728 (2008), an abutting resident expressed concerns regarding the property's upkeep and maintenance, including the lack of adequate lighting, bulk trash removal and gutters in need of repair. The applicant has attempted to address the neighbors' concerns as they arise and informed OP that:

- upgraded security lighting and fencing has been installed to deter loiterers on the site after hours;
- Trash and recycling are picked up twice a week from the alley;
- Drainage pipes and some rotting wood awnings have been repaired; and
- Large bilingual signs have been placed at the front of the property, per Order # 17728.

The center's location is convenient for the neighborhood, as most clients either walk or use the many bus lines along the 16th Street corridor. Thus, objectionable traffic due to drop-off and pick up from 16th Street has not been raised as a concern by neighbors. No additional concerns have been raised to OP regarding the center's operation over the years. Therefore, its continued operation would not likely become objectionable to neighboring properties due to noise or other objectionable conditions.

334.3 No structural changes shall be made except those required by other municipal laws or regulations.

The applicant does not plan to make structural changes to its existing facility.

334.4 The use shall be reasonably necessary or convenient to the neighborhood in which it is proposed to be located.

The Family Place provides a critical range of education and social services free to underserved families living in the neighborhoods of Adams Morgan/Columbia Heights/Mount Pleasant. The center is conveniently located on 16th Street, within walking distance of the majority of its clients. The center is also within two blocks to the west of the Columbia Heights Metro Rail Station and both 14th and 16th Streets are major Metro Bus lines. Therefore, vehicular traffic associated with pick-up or drop-off is minimal and the use is convenient to the neighborhood.

334.5 A community service center shall not be organized for profit, and no part of its net income inures to the benefit of any private shareholder or individual.

The Family Place Community Service Center is a private non-profit social welfare organization that provides family counseling, guidance and social services to underserved residents in the Adams Morgan/Columbia Heights/Mount Pleasant neighborhoods.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

A non-profit community service center is a permitted use in the R-5 zone, subject to the Board's approval and it has been permitted by the Board since 1985. Therefore the use is compatible with the residential neighborhood and satisfies the intent of the Regulations.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The center has been in operation since 1985 and is well known throughout the community, including among residents and other non-profit entities, which operate in the Columbia Heights and Mt. Pleasant neighborhoods, as well as District-wide. Apart from the minor issues of the site's upkeep, which are being continuously addressed by the applicant, there is no indication that its continued existence at this location would affect adversely the use of neighboring property.

V. COMMUNITY COMMENTS/ANC

The ANC 1A voted unanimously to support the center's special exception application at its regularly held meeting on July 10, 2013. The applicant submitted letters in support from other community agencies and indicated to OP that they have contacted the immediate neighbors regarding any concerns, but have not received a response to date.

VI. AGENCY COMMENTS

The District Department of Transportation (DDOT) provided comments to OP, including the following recommendations:

1. There shall be a maximum of two parking spaces provided onsite.

2. The number of full time employees shall not exceed thirteen (13).
3. All loading and garbage pick-up shall occur at the rear of the building from the public alley.
4. Offer at least one alternative commute incentive for employees (Example: Offer pre-tax payroll deduction to employees for transit and/or bicycle expenses.)

The applicant discussed with DDOT that they may consider the offer of pre-tax payroll deduction to employees for transit expenses. DDOT would submit their report to the Board under separate cover.